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9 *Plaintiffs*

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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**
14

15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

MASTER FILE NO. 07-cv-5944 SC

MDL NO. 1917

17 This Document Relates to:
18 ALL DIRECT PURCHASER ACTIONS

**DECLARATION OF R. ALEXANDER
SAVERI IN SUPPORT OF DIRECT
PURCHASER PLAINTIFFS'
ADMINISTRATIVE MOTION TO SEAL
DOCUMENTS PURSUANT TO CIVIL
LOCAL RULES 7-11 AND 79-5(d)**

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MDL NO. 1917

1 I, R. Alexander Saveri, declare:

2 1. I am managing partner of the firm of Saveri & Saveri, Inc., which the Court has
3 appointed to act as interim lead counsel on behalf of the direct purchaser plaintiffs in this action.
4 Except as otherwise noted, I make this declaration of my own personal knowledge, and if called
5 upon to do so, could and would testify competently to the facts contained herein.

6 2. I submit this declaration in support of Direct Purchaser Plaintiffs' ("DPPs")
7 Administrative Motion to Seal Documents Pursuant to Civil Local Rules 7-11 and 79-5(d). DPPs
8 move the Court for leave to file the following documents, or portions thereof, under seal:

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- 10 • Portions of Direct Purchaser Plaintiffs' Opposition to Defendants' Motion for
11 Partial Summary Judgment that Defendants have designated "Confidential" or
12 "Highly Confidential"; and
 - 13 • Declaration of R. Alexander Saveri in Opposition Defendants' Motion for Partial
14 Summary Judgment.

15 3. On June 18, 2008, the Court approved a "Stipulated Protective Order" ("Protective
16 Order") in this matter.

17 4. Pursuant to Section 5.2 of the Protective Order, the parties were permitted to
18 designate documents as "Confidential" and "Highly Confidential." Section 2.3 of the Protective
19 Order defines "Confidential Information or Items" as "information, (regardless of how generated,
20 stored or maintained) or tangible things that qualify for protection under standards developed
21 under Fed. R. Civ. P. 26(c)." Section 2.4 of the Protective Order defines "Highly Confidential
22 Information or Items" as "extremely sensitive Confidential Information or Items whose disclosure
23 to another Party or non-party would create a substantial risk of injury that could not be avoided by
24 less restrictive means." Section 2.8 of the Protective Order defines "Protected Material" to include
25 both types of information.

26 5. Section 10 of the Protective Order requires that "a Party may not file in the public
27 record in this action any Protected Material. A Party that seeks to file under seal any Protected
28 Material must comply with Civil Local Rule 79-5."

6. DPPs wish to file the above-listed documents which contain either: (a) material

1 designated by a Defendant pursuant to the Protective Order (entered by the Court on June 18,
2 2008) as “Confidential” or “Highly Confidential”; or (b) analysis of, references to, or information
3 taken from material designated by defendants pursuant to the Protective Order as “Confidential”
4 or “Highly Confidential.”

5 7. A stipulation by the parties could not be obtained because under Civil Local Rule
6 79-5, parties may not stipulate to the filing of any document under seal. See Civil L.R. 7-11(a),
7 79-5(a).

8 I declare under the penalty of perjury of the laws of the United States of America and laws
9 of California that the foregoing is true and correct. Executed this 24th day of February, 2012 at
10 San Francisco, California.

11
12 /s/ R. Alexander Saveri

13 R. Alexander Saveri
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